

REMARKS

The Examiner is thanked for the careful examination of the application and for the allowance of claims 11-13 and 21-30, and for the indication of allowability of claims 3-5, 8-10, and 18-20 if rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

The Applicant has amended claims 3, 8, 9, 10, and 18 as directed by the Examiner. These claims and the claims which depend from them which were indicated as allowable should now be in condition for allowance.

The Examiner has rejected claims 1, 2, 6, 7 and 14-17.

Claims 1, 2, 6, 7 and 14 have been amended, and they, as well as all of the claims which depend from them, are believed to be in condition for allowance for the following reasons:

Claim 1 has been amended to include limitations that dry bulk material can exit the downspout while remaining above the plurality of flow-retarding members. The cited references do not teach a combination as claimed with this unobstructed flow ability above the flow-retarding members. The Weis reference is designed to reduce dust and imposes a barrier to exit from the spout without a change in direction of the flow of material.

Claim 2 has been rewritten to be in independent form, including all of the limitations of original claim 1. The limitation of claim 2 is that the inserts are configured to be inserted either through the right side or the left side. The Weis reference does not teach or suggest even the desirability of having the flow retarding

member be configured to be INSERTED THROUGH either SIDE of the downspout. It appears that the member 90 in Weis could only be inserted through an end of the device. This insertability through a SIDE is not taught or suggested.

Claim 6 has been rewritten in independent form to include all of the limitations of original claim 1 and is further amended to change "linear" to "planar." The Applicant believes that the Weis reference shows the members in a single linear relationship. However, to expedite allowance, the Applicant has amended both claims 6 and 7 to instead refer to a "planar arrangement." Weis does not teach a combination of elements as claimed in claims 6 and 7 as amended.


Claim 14 has been amended to further define the function in the means-plus-function element at the end of the claim. Claim 14 now is limited to a means which causes dry bulk material to exhibit a slower velocity near the bottom, while allowing dry bulk material to exit the downspout while remaining above the means for causing a slower velocity.

Again, the Applicant appreciates the Examiner's careful examination of the application and requests allowance of the application as amended.

Respectfully submitted,

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